

In re Application of Günter Tremmel et al.
Attorney Docket: 47623-0003
Response to Office Action dated March 16, 2007

REMARKS

Applicants have thoroughly reviewed the outstanding Office Action, including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the amendments made herein, are believed to render all claims at issue patentably distinguishable over the cited references.

Information Disclosure Statement

Applicants have included with this Amendment and Response legible copies of each cited foreign patent document listed in the previously filed PTO/SB/08a filed May 27, 2005, namely DE 29906207; FR 2687964 and EP0968882.

Objections to the Drawings

The drawings have been objected by the Examiner because the drawing figures on page 6 of the document filed May 27, 2005 are not on a separate page in compliance with 37 CFR 1.121(d). Applicants have submitted a replacement sheet of drawings that comply with 37 CFR 1.121(d) and respectfully request that the Examiner withdraw the objection to the drawings.

Objections to the Specification

The Examiner has objected to the Specification because of the informality in paragraph [0022] where the cover strip is described as "part 3". While Applicants believe that a clarification is unnecessary, the Specification has been amended to state "cover strip 3" in this paragraph in order to obtain a Notice of Allowance. Applicants respectfully request that the Examiner withdraw the objection to the Specification.

Objections to the Claims

The Examiner has objected to the claims 1 and 6 because of various informalities. As stated below, Applicants have canceled these claims and incorporated their limitations into amended claims 2 and 3 (for canceled claim 1) and claim 8 (for canceled claim 6) in order to obtain a Notice of Allowance. To address the Examiner's objections to the claims, Applicants have amended claims 2, 3 and 8 to rectify the informalities. Applicants respectfully request that the Examiner withdraw the objection to these claims.

Rejections under 35 U.S.C. §112

The Examiner has rejected claims 6-20 under 35 U.S.C. §112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Examiner points to claim 6, lines 13-14, and states that it is unclear how the spring element inhibits movement in both the open and closed positions. Applicants traverse such rejection for the reasons set forth below.

As discussed more fully below, Applicants have canceled claim 6 and incorporated its limitations into amended claim 8 in order to obtain a Notice of Allowance. Applicants have amended claim 8 to correspond to allowable claim 2, which instead of stating "inhibit movement of said hinged cover in an position and closed position" states "locks said hinged cover in an open position and closed position". Applicants have made this amendment for clarification purposes. The previously presented "inhibit movement" limitation was used as a substitute of the "locks" limitation merely to clarify that "locks" does not mean locks permanently and that the hinged cover is capable of movement between the open and closed

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positions. Applicants respectfully request that the Examiner withdraw her rejections to the claims under 35 U.S.C. § 112.

Rejections under 35 U.S.C. §103

The Examiner has rejected claims 1 and 6-7, 9, 11-12, and 14 under 35 U.S.C. §103(a) as being unpatentable over FR 2833907 in view of DE 19840294. While Applicants maintain that the previously presented claims are allowable over the prior art, they have either canceled the rejected claims, or amended them to be dependent on claims that the Examiner indicated were allowable, as discussed below, in order to obtain a Notice of Allowance. For this reason, Applicants respectfully request that the Examiner withdraw her rejections to the claims under 35 U.S.C. § 103.

Allowable Subject Matter

The Examiner has objected to claims 2-5 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Further, the Examiner has objected to claims 8, 10, 13 and 15-20 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, 2nd paragraph, and include all of the limitations of the base claim and any intervening claim. Applicants have amended claims 2 and 3 to include all of the limitations of claim 1 (now canceled) and respectfully submit that these claims are now in condition for allowance. Further, Applicants have amended claim 8 to incorporate the limitations of claim 6 (now canceled) and to overcome the rejection under 35 U.S.C. §112, 2nd paragraph. Applicants respectfully submit that claim 8 is now in condition for allowance.

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All of the remaining claims depend, either directly or indirectly, from these allowable claims and, therefore, should also be in condition for allowance.

Conclusion

In light of the above remarks, it is respectfully submitted that Applicants have responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicants have made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements. Accordingly, Applicants respectfully request that the Examiner allow the pending claims and pass the Application to issue. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 433-7570.

Applicants believe there are no fees due for this document, however if any fees are due, the Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061 in the name of Dickinson Wright PLLC.


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Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

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Date: June 18, 2007

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Enclosures

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